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COMMITTEE ON THE RIGHTS OF THE CHILD

Third session

SUMMARY RECORD OF THE 53rd MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 14 January 1993, at 3 p.m.

Chairman: Mrs. BADRAN

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The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Initial report of Bolivia (continued) (CRC/C/3/Add.2, CRC/C/3/WP.1)

1. At the invitation of the Chairman, Mr. Soruco Villaneuva, Mrs. Chares-Bustios and Mr. Valcarce (Bolivia) took seats at the Committee table.

2. The CHAIRMAN invited the Committee to resume consideration of chapter III of the initial report of Bolivia (CRC/C/3/Add.2), entitled "General principles", which was the subject of written questions 9 to 13 on the list contained in document CRC/C/3/WP.1, it being understood that the Bolivian delegation would also reply to the Committee's oral questions.

General principles

9. It is clear from the report that there is discrimination against girls in the fields of education, work and daily life. In this connection, account should be taken of cultural factors in addition to economic and social difficulties. How are the Bolivian State and Bolivian society dealing with that problem? (art. 2 of the Convention).

10. Please indicate the measures adopted by the authorities to eliminate and prevent attitudes and prejudices which make for discrimination against girls and disabled children. (art. 2 of the Convention)

11. Please describe the measures planned or being implemented and the factors and difficulties involved in reducing the differences between rural and urban areas. (art. 2 of the Convention)

12. Please describe specific measures taken to remedy problems faced in the area of basic services such as water and sanitation and to reduce the high rate of infant mortality. (art. 6 of the Convention)

13. With regard to recognition of the principle of respect for the views of the child, it would be interesting to have specific indications of the way in which this principle is reflected in legal provisions or judicial decisions. (para. 73 of the report) (art. 12 of the Convention)

3. Mr. SORUCO VILLANUEVA (Bolivia), replying to a question by Mrs. Eufemio, said that his country had begun implemention of a Ten-Year Plan of Action for Women and Children, in order to improve living conditions for the poorest sectors of the population, particularly with regard to health, hygiene, nutrition and education. It was considered that the total cost of implementing the Plan, which was supported by all political parties, showed the importance attached by the Bolivian State to improving the lot of children and women.

4. The main objectives of the Plan were the following: to reduce the infant mortality rate to 50 per 1,000 and the mortality rate for children under five to 70 per 1,000; to reduce disparities in mortality rates between regions; to reduce the percentage of people suffering from malnutrition to below 7 per cent; to reduce the maternal mortality rate to less than 2.4 per 1,000; to achieve a recovery rate of 85 per cent for people suffering from tuberculosis; to protect 47 per cent of the rural population against Chagas disease; to diagnose and treat 95 per cent of cases of malaria. The Ministry of Health would endeavour to achieve those objectives by strengthening health controls and structures.

5. With regard to sanitation, it was planned to provide 80 per cent of urban homes and 70 per cent of rural homes with drinking water, to link 55 per cent of urban homes to sanitation systems, to remove and treat 95 per cent of solid urban waste, and to provide half the rural population with appropriate sanitation services. To that end, the competent bodies would undertake comprehensive development of the rural environment, improve living conditions for marginalized urban populations and heighten public awareness of sanitary questions.

6. The objectives of the Ten-Year Plan of Action for Women and Children in the field of education were: to provide basic education to all children between the ages of 6 and 10; to raise the rate of school attendance for children between 11 and 13 to 80 per cent in towns and 50 per cent in rural areas; to raise the percentage of children completing primary studies to 60 per cent in towns and 20 per cent in rural areas; to reduce the percentage of children two or more years behind in their schooling to 16 per cent in towns and 24 per cent in rural areas; to reduce inequalities between boys and girls with regard to rates of school attendance; to reduce the illiteracy rate by half. Volunteers were participating in literacy campaigns and 40,000 conscripts would be trained to carry out basic sanitation work.

7. In reply to a question by Mr. Hammarberg on the effective implementation of the Convention, particularly in combating discrimination, he explained that the new Juvenile Code incorporated the relevant provisions of the Convention virtually in their entirety and that energetic steps had been taken to end discrimination, particularly in the context of the Ten-Year Plan of Action for Women and Children, the Government's decree against poverty and public awareness activities. Departmental and provincial counsellors responsible for social development, trade unions and professional bodies were also engaged in publicizing the relevant legal provisions.

8. Concerning the economic adjustment plans, he explained that Bolivia was endeavouring to mitigate, as far as possible, the possible social effects of the measures which it was obliged to take to reduce its external debt.

9. With regard to the reliability of statistics, it should be explained that Bolivia had a National Institute of Statistics with a very competent staff. Moreover, the country would soon have, when the analysis of the 1992 census had been completed, even more reliable statistical data.

10. The Ministry of Education and Culture had in 1991, with financial assistance from UNICEF, begun to set up an information system for educational

planning, which would cover all administrative or educational activities and would in particular, with the collaboration of the National Institute of Statistics, make it possible to provide a number of educational indicators.

11. On the question of disabled persons, he acknowledged that Bolivia suffered from a dearth of competent staff and specialized institutions. It intended to take steps to remedy that situation, but in the health field the inadequacy of financial resources posed a serious problem.

12. In reply to a question by Mrs. Santos Pais, he said that international adoption was governed by the new Juvenile Code; there were two categories of adoption, full adoption (arrogación) and simple adoption. For obvious social and cultural reasons, the competent authorities gave priority to adoption requests from Bolivian nationals. The Juvenile Code contained provisions which guaranteed the physical and mental welfare of the adopted child. The family, physical, mental and social conditions to be satisfied by the adopter were very strict. Adoption was conducted through institutions accredited by the Bolivian Government and the Government of the adoptive parents' country. Intermediary organizations were required to monitor the child before and after adoption and to submit periodic reports to the competent Bolivian authorities. In addition, the adoptive parents were required to be present throughout the adoption procedure. In short, the best interests of the children were safeguarded to the fullest extent possible.

13. Mr. HAMMARBERG asked if the Bolivian delegation wished to submit a request for technical assistance in a particular field to the specialized agencies, the United Nations Children's Fund or other competent bodies through the Committee in accordance with article 45 (b) of the Convention.

14. Mr. SORUCO VILLANUEVA (Bolivia) said that the report of Bolivia clearly showed that the country greatly needed advice and technical assistance in a number of fields, particularly health and education. He would, as soon as possible after consulting the competent authorities, transmit to the Committee a list of areas where such assistance was a priority requirement.

15. Miss MASON said that by its nature the Juvenile Code seemed capable of improving the status of children, but it would be necessary to wait until it had been implemented for a few years in order to assess its effectiveness. It was often young people from a disadvantaged environment who came in conflict with the law, and she would like to know if there was currently in Bolivia a system for guaranteeing the right of such young people to proper treatment.

16. Mr. SORUCO VILLANUEVA (Bolivia), replying to Miss Mason's question, said in purusance of the new Juvenile Code, a system of juvenile courts had been created within the judicial system. Book III, title 1, chapters 1-10, of the Juvenile Code described the powers of the juvenile court, its method of operation and the offences with which it was concerned. Young offenders, who were legally responsible from the age of 16, enjoyed legal protection and guarantees, and received the necessary assistance and legal advice. During discussion and adoption of the new Juvenile Code, it had become the focus of a new awareness throughout the country.

17. The CHAIRMAN invited the members of the Committee to make their concluding comments concerning the first part of the consideration of the report of Bolivia, relating to the first three chapters.

18. Mrs. SANTOS PAIS welcomed the oral statement by the representative of Bolivia, who had described in great detail the provisions of the new Juvenile Code adopted the previous December. She was, however, concerned at the effects of the structural adjustment policies on the social sector in Bolivia. The implementation of the principles and provisions of the Convention should not fall victim to that policy. In particular, every effort should be made to avoid discriminating against children in rural areas, young members of the indigenous populations and girls, and to make the best possible use of available resources in the interests of the most vulnerable members of Bolivian society.

19. While the efforts made by Bolivia in adopting legislation in conformity with the provisions of the Convention were to be welcomed, and there should be satisfaction that it could be directly invoked in Bolivian courts, certain legal practices, such as discrimination between the sexes with regard to the age of marriage, unequal access to legal aid or imprisonment of young people in the same premises as adults, should be reviewed and indeed rectified.

20. Lastly, there were grounds for concern at the differences in attitude concerning girls and boys, inequality of access to education and health depending on whether the child lived in a rural or urban area, and difficulties experienced by young members of the indigenous populations in obtaining education when they did not yet have the opportunity of being taught in their own language.

21. Mr. GOMES DA COSTA said that, as he understood it, under article 37 of the Bolivian Criminal Code judges determined the sentence in the light of the character of the offender, which implied inequality of treatment before the courts. Taking character into consideration was a subjective matter. In practice, it was noticeable that in Latin America most children deprived of their liberty came from low-income families, wh le children from well-off families were almost never sentenced to imprisonment. In that respect, he requested explanations concerning the way in which the new Bolivian Juvenile Code guaranteed children means of defence, presumption of innocence and equality of treatment before the courts. Finally, further details were needed concerning the situation of children detained in establishments intended for adults.

22. Mgr. BAMBAREN GASTELUMENDI said it was well known that, for cultural rather than legal reasons, discrimination was a feature of everyday life in Bolivia. Against that background, the Bolivian Government, at the Ibero-American Summit, had undertaken an interesting initiative, the creation of a Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean. What had become of that initiative? Furthermore, Bolivian institutions and the Bolivian Government were endeavouring to provide juveniles with continuing integral training in some establishments. What progress had been accomplished in that field? The new Juvenile Code envisaged better treatment of young offenders, but it was also known that for mainly economic reasons there was still a great deal of contact between minors and

adults in prisons and also in police stations and during interrogation. Efforts should thus be made to treat minors with greater dignity and with greater attention to their education.

23. Mr. HAMMARBERG said that the report of Bolivia and the oral replies given by its representative paid too much attention to the new economic policy and the prospects of improving the status of children thanks to the new resources which that policy was supposed to generate. Unfortunately, that had not always been the case for other countries and it was important that the Bolivian Government should remain vigilant concerning the impact of its new economic policy on children's welfare. In that respect, it would be interesting to see in two years' time if the hopes currently being expressed had materialized. He agreed with Mrs. Santos Pais that the Bolivian Government should take measures to correct inequalities caused by discrimination against certain groups of children, such as girls, children in rural areas and young members of the indigenous population.

24. Mrs. EUFEMIO said that the budget for the Ten-Year Plan of Action for Women and Children seemed reasonably high. However, the Committee could perhaps ask the Bolivian Government at a later stage if the budgetary provision had been sufficient.

25. The CHAIRMAN said that the Committee had thus concluded the first part of its consideration of the report, concerning the first three chapters, addressed by written questions 1 to 13. She proposed that the Committee should move on to chapters IV and V, and invited the representative of Bolivia to reply to written questions 14-19, which read:

Civil rights and freedoms

14. Please indicate measures taken or envisaged to sensitize and mobilize public opinion concerning the need to register births and provide and train adequate registry personnel.

15. Are non-Catholic children compelled to receive Catholic instruction in public schools?

Family environment and alternative care

16. Is the parents' poverty sufficient grounds for the children's court to remove parental authority?

17. Do the integral training centres for orphaned and abandoned children operate under a boarding system?

18. How does Bolivia's new Juvenile Code deal with the problem of intercountry adoption?

19. Please indicate factors and difficulties which may affect the recovery of maintenance for the child, such as the lack of adequate birth registration.

26. Mr. SORUCO VILLANUEVA (Bolivia) emphasized that the report submitted by his country reflected reality there and that the Government was aware of the shortcomings in its social policy, which did not compensate for the rigorous economic adjustment plans. A high rate of inflation (10 per cent) had led to general impoverishment and a deterioration in public services. Nevertheless, the economic model adopted had permitted a 4 per cent economic growth rate, which attracted foreign investment.

27. Replying to question 14, he said that declaration of births was hampered by resistance and ignorance among a large part of the indigenous, rural and lower-class urban population, lack of economic resources, archaic infrastructures for registering births in remote areas and the high cost of registration. To remedy that situation, the Juvenile Code provided that registration of births in the civil register should be free of charge and had introduced a single national register. However, responsible participation by society, governmental organizations and non-governmental organizations in progress and development was essential in that area.

28. Replying to question 15, he said that teaching of the Catholic religion was not compulsory in State schools, but children who were exempted were required to do other work. Moreover, article 182 of the Constitution, guaranteed freedom of religious education and article 114 of the Juvenile Code provided for freedom of belief and religious worship.

29. Replying to question 16, he explained that in Bolivia parental poverty in no way constituted sufficient reason for removing parental authority. As article 34 of the new Juvenile Code stated, "The lack or inadequacy of material resources does not constitute a reason for loss or suspension of parental authority ...". Article 37 of the Code stipulated: "The State and society are required to preserve and maintain the unity and integrity of the family in order to guarantee the minor the right to live in his family of origin".

30. On question 17, he said that what the Bolivian Government meant by children placed in institutions were those who no longer had relations with their family because the protective role of the parents had ceased as a result of death, disappearance or desertion. Such children were placed in care and assistance institutions. The boarding system permitted children to live in an institution whose main object was to provide them with care and a complete upbringing. Originally, institutionalized assistance had been a State matter, but religious and secular organizations had gradually taken a share of responsibility for helping children. In the case of orphaned or abandoned children or children from broken homes, the centres operated under a boarding system, but that did not mean that the children were entirely isolated since they received their education in State schools under an open-door system. In accordance with the new Juvenile Code, the term "boarding institution" had been replaced by the term "reception centre".

31. He had already addressed the subject of question 18. He reminded the Committee that the new Juvenile Code contained very adequate provisions concerning international adoption which would enable certain problems encountered in the past to be solved. Precautions were taken to guarantee the physical and mental well-being of the adopted child. The adoption procedure

was carried out through legally constituted institutions accredited both by the Bolivian Government and by the Government of the country of the adoptive parents. Letters of intent were exchanged between the Government of the adopters' country and the Government of the adopted child's country through the Ministry of Foreign Affairs. The institutions acting as intermediaries were required to monitor the children before and after adoption, and to submit periodic reports to the National Solidarity and Social Development Commission.

32. In reply to question 19, concerning the recovery of child maintenance, he drew attention to certain problems, due notably to economic stagnation and inflation, which had not yet been completely brought under control. It was in the poorest sectors of the population that problems of recovering child maintenance were the most common. The Juvenile Code in force required that the father should pay 30 per cent of his monthly earnings for each child, but that provision was difficult to enforce, owing to the economic situation, the cultural level of the population, deeply-rooted beliefs, traditions and customs which restricted the effectiveness of both legal and social measures, and the limited knowledge or ignorance of legal procedures for recognition of children born out of wedlock. In order to be eligible for maintenance the child must be recognized by the father under a legal procedure and registered with the civil registry. Moreover, the concept of the family and its role was changing, so that more and more frequently there were cases of parents who did not fulfil their responsibilities.

33. In reply to Mr. Gomes da Costa's question, he referred to certain provisions of the Juvenile Code. Under article 208, the juvenile courts were the only courts competent to hear and decide cases concerning juveniles. The powers of the juvenile court judge were: to hear cases of offences with which juveniles were charged, to hear cases of material or moral neglect, danger or maltreatment suffered by juveniles, to pronounce abandonment of a minor for the purposes of the Code, to settle cases of complaints or reports concerning acts endangering the health or physical or moral development of a minor, to place the juvenile in the care of his parents, to decide measures necessary for the treatment, care and protection of minors in circumstances envisaged in the Code, to ascertain the situation of abandoned minors placed in institutions, to hear cases of irregularities infringing the rights of juveniles, to conduct weekly inspections of police stations and institutions for the protection, assistance and rehabilitation of minors or to arrange for such inspections by persons appointed for that purpose. It was clear, as stated in the report, that facilities were inadequate, with the result that minors were often placed in the same places of detention as adults and it was difficult to respect the rules and provisions of the Juvenile Code. Lastly, the Code defined in great detail the procedures followed in the juvenile courts and actually incorporated most of the provisions of the Convention on the Rights of the Child.

34. Mgr. Bambaren Gastelumendi had referred to the treatment of children in detention institutions. New resources would be allocated for improving the national infrastructure and implementing rehabilitation and reintegration programmes aimed at preventing delinquency.

35. With regard to action in support of mothers and children, the key element was the Ten-Year Plan of Action for Women and Children adopted by the

Government. A consultation and cooperation process had been established to evaluate progress made in implementing the Plan. At the national level, inter-agency coordinating committees had been set up on child survival, maternal health, nutrition, sanitation and education. At the departmental level, seminars and workshops had been organized. Some 200 regional institutions had participated in the consultation process, as a result of which it had been possible to define the broad outlines of the strategy to be followed. In the context of identifying problems, it had been noted that mechanisms in the social sector had been very centralized and that coordination had been inadequate. In the health and education sectors, centralization had prevented the various services concerned from participating in planning and formulating regional development programmes. It had also been noted that various initiatives to promote the interests of women and children had been too closely focused on the short term. The objectives of the Plan were: to ensure that women and children had access to the basic services needed for their growth and development so that they could exercise their rights; to ensure that the State, its cooperation agencies and society gave priority to women and children; to encourage local and regional participation in implementing the Plan; and to encourage administrative decentralization. In the field of education, the Plan gave priority to rural areas by encouraging methods other than those used in urban areas, particularly the creation of educational communities. In the context of the Ten-Year Plan, it was also proposed to undertake activities for the benefit of minors in difficult situations, to encourage women to play a productive role, to democratize the family and society, to combat violence, particularly in the family, to reinforce women's participation in social and political life, and to strengthen the interest of the family, society and the State in women's rights.

36. Mrs. EUFEMIO asked if the new Juvenile Code included provisions for registering children who had not been registered at the proper time because they lived in backward areas, because their parents were ignorant or for other reasons. What solution was envisaged? Moreover, it could happen that births were concealed and that persons had a child registered as theirs when they were not the biological parents, and that could encourage trafficking in children.

37. Mrs. SANTOS PAIS welcomed the positive approach adopted to encourage registration of children. Not being registered could affect children's lives in various ways, including access to education. In addition, it appeared from the English version of the report of Bolivia that abandoned children or children of unknown parents were placed in "detention" (para. 117), as were children who had been ill-treated (para. 126). One might ask why such children should be deprived of their freedom; rehabilitation and reintegration measures would seem more appropriate. Had the new legislation remedied those problems, and to what extent?

38. Mr. GOMES DA COSTA welcomed the adoption of the new Juvenile Code, not only because of its content, but also because of the way in which it had been drawn up with the participation of non-governmental bodies. On the question of organizations which could act as intermediaries in intercountry adoption, he would like to know whether they included foreign organizations and, if so, what criteria did they have to meet under the new Juvenile Code.

39. Miss MASON pointed out that one of the fundamental principles of the Convention was respect for the best interests of the child. Bolivia recognized freedom of thought, conscience, religion and expression, the principle of respect for the opinions of the child, and the other rights and freedoms set forth in the Convention. In paragraph 86 of the report of Bolivia, it was stated that "the juvenile, by virtue of being in the care of his or her parents, adopts their religion". Was there not a contradiction there? How was that question resolved in practice?

40. Mgr. BAMBAREN GASTELUMENDI asked if the Ten-Year Plan of Action for Women and Children contained provisions on disabled children.

41. Mr. SORUCO VILLANUEVA (Bolivia), replying to the questions asked by Mrs. Rufemio and Mr. Gomes da Costa, said that a major project to create a "single national register" would bring about an improvement in the situation with regard to the registration of births. In addition, the new Juvenile Code provided that entries in the civil registers should be free of charge. As to the risk that a person might register a child as his or her own when that person was not the biological father or mother, it should be emphasized that the new Juvenile Code defined adoption procedures very clearly. The new legislation should eliminate some of the problems encountered in the past. It should be pointed out that the National Solidarity and Social Development Commission gave priority to national adoptions in order to preserve the children's social and cultural identity. And, there were provisions monitoring adoptions. Another guarantee derived from the fact that accredited organizations, whether Bolivian or foreign, acted as intermediaries in international adoptions. It would be recalled that there were two formulas for adoption, simple adoption (para. 122 of the report) and full adoption (para. 123). In the case of simple adoption, which applied to children under the age of 18, the children retained the name of their natural parents, even if the latter objected. In the case of full adoption, the adopter was required to be be at least 25 years old, submit a marriage certificate (or fulfil certain conditions established by law if cohabiting), be in good physical and mental health and submit a certificate of domicile, and must not have a criminal record.

42. In reply to Mrs. Santos Pais' question concerning paragraphs 117 and 126 of the report, he said that the new Juvenile Code took specific account of such situations in the chapters on care and custody; in that connection he referred to articles 27, 28 and 29 of the Juvenile Code. The adoptive or foster family must provide material and moral support to the minor child. Minors deprived of the protection of their parents were admitted to both public and private centres, where they not only received the assistance they needed but benefited from training programmes. State tutelage was exercised by a protection agency and provided genuine and effective protection for minors placed in institutions.

43. In reply to Mr. Gomez da Costa's question concerning inter-country adoption, he said that the Juvenile Code of 17 December 1992 did not contain a list of institutions; there was, however, a copious register of national and international bodies which had been approved by Governments.

44. Replying to Miss Mason's question about the child's freedom of expression, he cited paragraphs 86 and 84 of the report, which related to freedom of thought, conscience and religion. He acknowledged that there was in fact a contradiction concerning the practice of religion, since the Constitution recognized the Catholic religion as the official religion while at the same time authorizing the public celebration of any other religion. He pointed out that a child was not obliged to attend Catholic religion classes if he chose another subject in its place.

45. In reply to Mgr. Bambaren Gastelumendi's question on disabled children, he said that the Ten-Year Plan of Action envisaged additional protection for such children and the implementation of preventive activities for children at all social levels. The Plan also envisaged comprehensive development programmes and special assistance for girls. He hoped to be able to give precise figures as soon as the results of the 1992 census had been processed.

46. In the absence of further questions by members of the Committee on issues 14 to 19, the CHAIRMAN invited the representative of Bolivia to consider written questions 20 to 26, concerning chapters VI and VII of the report (CRC/C/3/Add.2).

Basic health and welfare

20. What measures are being planned to overcome the lack of specialized staff for the care of disabled children?

Education, leisure and cultural activities

21. The doors to the schools are closing and the doors to the world of irregular and unpaid labour are opening earlier and earlier for children. This has been the principal effect of structural adjustment on education. How do the Government and Bolivian society intend to deal with this?

22. How is the policy of introducing languages other than Spanish into the schools developing? Are there any far-reaching initiatives or only experimental and selective projects?

23. Is the adoption of the Roman Catholic religion as the "official State religion" not in contradiction with the right of indigenous children to have their own religion and culture?

24. What is being done to reduce the distressing 53 per cent rate of functional illiteracy in rural areas?

25. What is being planned to overcome the proliferation of rules and the lack of consistency in the legislation on education?

26. The report itself admits that the statistics on education are "fragmentary and somewhat unreliable". What is being planned to overcome this difficulty?

47. Mr. SORUCO VILLANUEVA (Bolivia) referring to issue 20, said that his Government was carrying out an etiological study of invalidity. According to various studies by international organizations, 70 per cent of cases could be

explained by prenatal and perinatal asphyxia, infections, traumatisms and genetic causes. Nevertheless, his Government considered that the implementation of a prevention programme, particularly primary care during delivery and national health campaigns, would help to reduce that high percentage. The number of Bolivian children with progressive neurological disorders was alarming and linked, unfortunately, with high rates of morbidity and mortality. He recognized that disabled children were indeed to some extent neglected in owing to a shortage of budgetary, human and technical resources. However, the national agency responsible for children, women and the family was currently setting up multidisciplinary training courses specifically intended for teachers of mentally retarded children or those with hearing deficiencies, through the National Child Development Institute. At the national level there were insufficient qualified staff and diagnostic and rehabilitation teams. Indeed, the University of Bolivia did not provide specialist training in that discipline. The National Solidarity and Social Development Commission, together with other specialist institutions, provided grants to Bolivian students wishing to specialize in that field.

48. It was possible to remedy the situation mentioned under issue 21 through a better incomes policy. A more qualified work force should be able to increase productivity by using technology and that would lead to increased incomes. Families would thus no longer be obliged to send their children out into the labour market. The State must accordingly ensure economic and political stability and also promote a change in attitude which would make it possible to improve the economic situation of children (consumer goods, etc.). Within the educational system, it was essential that reforms should include training systems which corresponded to the needs of the market.

49. On issue 22, he said that Supreme Decree No. 23,036 on bilingual education recognized Bolivia's cultural and linguistic diversity and the need for educational material, infrastructure and methods to reflect that reality. Thanks to a number of experiments in that field, it was possible to report a continuing process to develop the child's personality through education which recognized the heterogenous nature of Bolivian society and its cultural, ethnic and social values (Yachay Huasy schools and bilingual education project supported by the Ministry of Education and Culture and UNICEF). Moreover, the compulsory teaching of reading and writing in the mother tongue would consolidate bilingual education in the education system.

50. On issue 23, he said that the Constitution recognized the Catholic religion as the official religion, while authorizing the public practice of any other religion. It should not be forgotten that the process of colonization by the Spanish had played a dominant role in relation to the inhabitants of the country. The indigenous communities therefore preserved a special mixture of religion and belief, with Christian elements incorporated during the process of evangelization since the year 1500. Although the Roman Catholic religion was the official religion of the Bolivian State, article 18 of the annex to the Constitution was based on the Universal Declaration of Human Rights and recognized that "everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private to manifest his religion or belief in teaching, practice, worship and observance".

51. On issue 24, he listed the various factors which often lay at the root of illiteracy. They included marginality, leaving school after the first few years of primary education, leaving school as a result of family and cultural circumstances, inappropriate teaching methods, lack of knowledge of the indigenous languages on the part of some teachers and, in particular, a school calendar and timetable which was not suited to social and cultural conditions in rural areas. Educational reform would, however, change the structure, content and methods of the education system and reduce inequalities, which mainly affected women and the poorest sectors of the population. Educational reform would channel financial resources, enable existing projects to be strengthened and new projects to be introduced, and remedy existing shortcomings. The Ministry of Education and Culture and the regional institutions responsible for implementing social policy would provide technical training courses aimed at improving productivity and incomes. Those training programmes would have a literacy component, coordination between the Ministry of Education and Culture and NGOs being ensured.

52. Concerning issue 25, he said that the educational reform also envisaged strengthening the Ministry of Education and Culture and its operational departments at the regional level. It was intended to rationalize the way that sector functioned, from the highest administrative levels to the public and private schools where teaching was carried out. The Ministry would thus play a regulatory role and ensure that policies were consistent, that public and private action was coordinated, and that the established strategies were followed more closely. Public participation would ensure the effective implementation of reforms. Cohesive legislation on education would be the result of prior cooperation between the various sectors and players involved in that field.

53. On issue 26, he said that his country had, since 1991, been implementing plans with the financial support of UNICEF, and that the Ministry of Education and Culture had begun the implementation phase of an education planning information system, which would fill certain gaps in that field. The information system was an integral part of the Ministry's administrative, technical and educational activities as a whole. It was also coordinated through the work of the National Institute of Statistics, the central Bolivian agency responsible for the management of statistics and calculation of indicators.

54. The CHAIRMAN thanked Mr. Soruco Villanueva for his replies to the written questions. In accordance with the procedure adopted, she invited the members of the Committee to ask oral questions.

55. Mr. MOMBESHORA, bearing in mind the importance attached by the Bolivian Government to health problems, requested details of allocations for prevention programmes. In the specific area of maternal and child health, he deplored the fact that only 47 per cent of births were attended by qualified health personnel, resulting in very high mortality and morbidity rates. He also wished to have more details of family policy and greater transparency regarding the question of unwanted pregnancies and abortions. In the education field, he noted with satisfaction that budgetary allocations had increased in 1992, and hoped there would be a further increase in 1993. Noting that 471,000 children did not attend school and that 88 per cent of

those lived in rural areas, he wondered if measures were being taken to remedy that situation. On the question of leisure, recreation and cultural activities, and noting the contents of paragraph 181 of the report, he wondered if that impressive list was a declaration of general policy or genuine practice, and would like to know whether it applied in all schools (rural and urban, public and private).

56. Miss MASON deplored the fact that the report did not provide sufficiently precise information on the question of disabled children, as already mentioned by Mgr. Bambaren Gastelumendi. She asked what measures had been taken to prevent discrimination against such children (treatment, rehabilitation, etc.).

57. Mr. GOMES DA COSTA asked Mr. Soruco Villanueva to explain, in relation to the exploitation of children in the labour market, how the new Bolivian Juvenile Code drew on ILO Convention 138 concerning the Minimum Age for Admission to employment, in relation to the minimum age for admission of children to the labour market and the protection of children in the workplace.

58. Mrs. SANTOS PAIS associated herself with Mr. Mombeshora's comments about the lack of information on family planning, which fell within the scope of the Convention. She requested that the question should be considered, taking account of the two conflicting realities described in the report: on the one hand, the age of sexual consent for women in Bolivia was 14 years while on the other, gynaecological care was only provided to women aged 21 or over or from the age of 18 when they were married. She also wished to know what family planning measures had been taken for the benefit of women under the age of 18.

59. Mr. HAMMARBERG requested to have details of the phenomenon of violence in schools, in relation to article 19 of the Convention on the Rights of the Child. He would also welcome additional information on the problem of violence in society and its effects on children. Regarding the implementation of article 28 (2) of the Convention, he asked whether teachers followed instructions when they administered corporal punishment in school, given the importance of that question in protecting children against violence.

60. Mgr. BAMBAREN GASTELUMENDI asked whether Quechua and Aymara were considered to be official languages and whether children had the right to use their own language when addressing the police or the courts.

The meeting rose at 6 p.m.